

REMARKS

The Office Action mailed July 28, 2010 presents the examination of claims 10, 14, 15, 36-38 and 55. These claims remain pending and are not further amended herein.

The sole rejection standing is of claims 10, 14, 15, 36-38 and 55 under 35 USC § 112, first paragraph, for alleged failure of the specification to adequately describe the claimed subject matter. The Examiner takes a position that the phrase, "being unconjugated to any moiety" in the claims is not present in the specification.

Applicants traverse this rejection, for all of the reasons explained in describing support for the amendment to claims 10 and 36 in the Amendment filed June 30, 2010.

Substance of Interview

A telephone interview with the Examiner was conducted on September 7, 2010. In the interview, the Examiner indicated that she had reconsidered the rejection and agreed that, in view of the disclosure of the specification as a whole, *e.g.* Examples III and V and the associated figures, one of ordinary skill in the art would indeed understand that soluble p97, unconjugated to any moiety, was described as being used in the claimed method. The Examiner indicated that the rejection would be withdrawn upon filing of a reply by Applicants.

Applicants submit that the present application claims subject matter patentable over the prior art of record. The favorable actions of withdrawal of the standing rejections and allowance of the claims are requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell, Ph.D., Reg. No. 36,623, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: September 10, 2010

Respectfully submitted,

By 
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